

June 26, 2008 Minutes of Bigfork Land Use Advisory Committee

Committee members present: Darrel Coverdell, John Bourquin, Shelley Gonzales, Gary Ridderhoff, Paul Guerrant, Charles Gough and 14 members of the public.

Chairman Bourquin called the meeting to order at 4: 04 pm. Before beginning the meeting, Chairman Bourquin expressed appreciation to Phil Hanson for 4 1/2 years of service as a BLUAC member. John asked Phil to select a location where fellow committee members might treat him to a dinner out.

The Agenda was adopted as emailed (m/scGonzales/Coverdell).

The minutes for May 29, 2008 and May 5, 2008 were approved as corrected. (m/sc Gough/Coverdell) Minutes for the March 27, 2008 were corrected after request of Nate Mildren for correction of the spelling of his grandmother's name. (m/sc Gonzales/Coverdell)

ADMINISTRATOR'S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/.

B. Application status: The Flathead County Commissioners voted unanimously to deny the Mildren application on June 2, 2008 at 9:30 a.m.

C. The North Lake County Planning group will meet on the subject of viability of Advisory Committees and updates for the potential zoning district on July 22, 2008, 7:00 p.m. at Brumar Estates Center in Ferndale and July 23, 2008, 7:00 p.m., at the Bethany Lutheran Church in Bigfork. Paul Guerrant and John Bourquin stated they would be available for one of the meetings. Other committee members will check their calendar and advise if they can attend.

Secretary Hanson noted that two of the public posting places was now unavailable. Suggestions were the Jug Tree, Sliters Hardware and Harvest Foods. Hanson will contact the owners to see if posting would be approved.

Oath of Office: Charles Gough was sworn in to fill a two-year term. Shelley Gonzales witnessed the Oath.

Elections: Election of Officers as follows:

Paul Guerrant nominated Shelley Gonzales for Chairman. Coverdell seconded the motion. There being no further nominations. Gonzales was elected unanimously.

Coverdell nominated John Bourquin as Vice-Chairman. Bourquin declined the nomination. Gough nominated Paul Guerrant, seconded by Bourquin. There being no further nominations, Guerrant was elected unanimously.

John Bourquin nominated Sue Hanson as Secretary/Treasurer, seconded by Gonzales. There being no further nominations, Hanson was elected unanimously.

Member At Large: Secretary Hanson provided the Committee a copy of one letter of application from Al Johnson, 789 Swan River Road, Bigfork, MT. Johnson stated he had been involved for several years with the Bigfork Steering Committee and chaired the Land Use and Natural Resource section of the Bigfork Neighborhood Plan Draft. He indicated he has been interested in planning issues for many years and would do his best to be a valuable member of the committee. No further nominations were noted. Gonzales moved Johnson be appointed to fill the one-year term of Member At Large, seconded by Guerrant. Motion passed unanimously.

APPLICATIONS:

A. A request by Dale and Irene McMurren for preliminary plat approval of Dell Subdivision, a two lot single-family residential subdivision on 32.8 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located at 275 Coverdell Road.

Staff: Andrew Hagemyer presented the application on behalf of Alex Hogle who is on vacation. He noted the property is Zoned SAG-5 and conforms to Flathead County Zoning Regulations. Lot 1 has an existing, approved septic system. Lot 2 has been approved for connection to the Bigfork Water & Sewer District. He noted that the Bigfork Fire District approved requesting fire hydrants be installed every 400 feet within seven feet of the asphalt. Legal notice was mailed to surrounding property owners on June 22, 2008 and there had been no comments received from adjoining property owners. The application complies with the Flathead County Growth plan and the Bigfork Neighborhood Plan. The Bigfork Water and Sewer District Design Specifications require that the new extension be installed to the eastern boundary of the annexed property (Lot 2) to allow for future expansion of the water system where feasible. The applicant would be responsible for the costs of the extension. The current road use agreement would also be required to be updated and functional. The FPZ recommends approval.

Gonzales: Will you read, for the public, the Unique Conditions to the application?

Staff: Standard Conditions appear on all applications.

Unique Conditions:

13. The applicant shall extend the water main from its current point of termination along Coverdell Road to the eastern boundary of Lot 2 prior to final plat approval. Proof of complete installation shall be provided at the time of final plat in the form of a letter from the applicable water and sewer district. [Section 4.7.22©, FCSR]

14. The applicant shall provide an Engineer's certification that the extension of the public water main has been installed in compliance with established State and Water and Sewer District standards for public water supply prior to final plat.

15. The applicant shall improve the un-named road accessing Lot 2 to the Flathead County Rural Local gravel road standard as outlined in Standard Drawing FC-5 of the Flathead County Road and Bridge Departments "*Minimum Standards for Design and Construction Manual*". Improvement is applicable to the section of road between the intersection of Coverdell Road and the driveway accessing Lot 2.

16. The applicant shall pave the first 25 feet of the un-named road from the intersection of Coverdell Road to Flathead County standards.

17. The applicant shall submit a Road User's Agreement to be for the un-named access and utility

easement and it's associated roadway and utility improvements prior to final plat. Upon approval by the Flathead County Commission the agreement shall be recorded with the Flathead County Clerk and Recorder's Office.

18. The following statement shall appear on the face of the final plat:

The owners of Lot 1 and Lot 2 shall abide by the guidelines set forth in the approved Dust and Air

Pollution Control and Mitigation Plan during and after site construction and development activities.

Bourquin: On standard condition #4, are hydrants every 400 feet the norm? A. Yes
On standard condition #8 (d) pertaining to solid waste disposal, what about green boxes?
A. The county is making an effort to reduce the load on green box sites, so if feasible, we are requiring new subdivisions to use contractors.

As to the BWS requirement to extend the water main to the east boundary, why is that?

A. (Spencer BWS) This will be standard due to the problems of extending water mains through landscaping, driveways, etc. On Unique Condition #16, why pave the first 25 feet? A. The County Road Department requires that to minimize cars carrying gravel, etc. on to the paved surface of a county road.

Gough: If you require the water main to be extended to the east boundary, why not the sewer main? A. (Spencer BWS) The sewer main cannot be extended further without a lift station.

Olaf Ervin: I represent the applicant (Montana Mapping Associates) and wanted to clarify that the 25-foot pavement extension is part of the new county road standards.

Coverdell: Is the road access wide enough for the other residents? A. Yes, 60 feet.

Public Agency Comment: None

Public Comment:

Sue Hanson reminded the committee that at the last meeting they expressed appreciation to the engineering firm on the accurate and concise application on McMurren's behalf.
No further public comment.

Coverdell: This is a pretty clean project and we have no concerns from adjacent property owners. I move to recommend approval of the application including all six Unique Conditions. Seconded by Gough. Motion passed unanimously.

B J Grieve addressed the committee before leaving the meeting to inform them of the Montana Association of Planner's Conference to be held in Bigfork this summer. There will be planners from several western states and will be held at the Flathead Lake Lodge September 22 through 24, 2008. There is a charge for Planning Committees and you can register at montanaplanners.org/ Packages are available for lodging as well as just meals when attending.

Informal Project Review:

A. Peter Leander was not in attendance for the review.

OLD BUSINESS:

A. Village Diagonal Parking: BSC Chairman, Craig Wagner reported the CFBB contacted the Bigfork Fire Department and were told the street was not wide enough for diagonal parking on both sides to allow for emergency vehicles.

Guerrant: Has anyone come up with alternative ideas?

Gough: A fund could be set up for voluntary donations.

Bourquin: The Resort Tax could be part of the solution. The committee is working well and hopes to have the issue on the November ballot.

Gough: Engineers determined costs to be about \$12,000 per parking space in the study done on the Chumley property.

Guerrant: Will the Resort Tax proposal spell out how money will be spent? A: Yes

B. Compression Brake Signage: BSC Chairman, Craig Wagner, stated Daniel Bolan, MDT, has forwarded the request to the Flathead County Commissioners for approval.

C. Meetings with County P & Z Chair, Vice-chair and Commissioner: Committee members consider this worthy of pursuing. Chairman Gonzales will contact the principals and determine if there is interest and report at the next meeting.

NEW BUSINESS:

A. Report 6/18 and 6/25 Plan Board Meeting: The meeting on June 18, 2008 resulted in a proposed text amendment to the Flathead County Zoning Regulations as follows: *The Growth Policy and neighborhood plans, new or revised after March, 2007, are not regulatory and do not confer any authority to regulate. Neighborhood plans have until January 1, 2010, to become compliant with the Growth Policy. All neighborhood plans will become non-regulatory after January 1, 2010. In cases where a neighborhood plan that was adopted prior to March, 2007 contains aspects related to zoning and is under the jurisdiction of these regulations, the provisions of the more restrictive shall control until January 1, 2010.* This text amendment will be forwarded to the Flathead County Commissioners.

As a result of the text amendment, the June 25, 2008 workshop with the Flathead County Planning Board was postponed to a later date. After much discussion, it was determined that the decision by the Commissioners on the text amendment would influence how the Board approached approval of the Bigfork Neighborhood Plan. Pat Wagner suggested it is important to keep members of the public informed as to the process of the approval of the BNP and why the process is held up at this time. She will send an email explaining the process to date.

B. Scenic Corridor Designation: There were a number of questions regarding how the corridor was designated, when it was designated, is it a State designation under State control of signage? Gonzales will research the history and report at the next meeting.

C. Bowling Alley Liquor License Transfer: Gonzales reported she has asked to be put on the Department of Revenue mailing list and received information that the liquor license for the Bowling Alley is in the process of transfer to the new location.

Coverdell: I recall when that subdivision was approved it was to have curbs and sidewalks. Secretary Hanson will research final conditions for the subdivision and report at the next meeting.

INFORMAL PROJECT REVIEW:

A. Peter Leander was not in attendance for the review

PUBLIC COMMENT:

Craig Wagner: June 25 & 26 is the anniversary of the defeat of Custer and the 7th Calvary.

Arthur Lieberman: I bought the bowling alley property and would like to hear the philosophy of BLUAC regarding development of the property. I'm considering mixed use, residential and commercial to utilize the best view in Bigfork. I may consider green roofs and would like to make a facility available to seniors and youth.

Gough: That's a busy intersection. How do you plan your access?

Lieberman: I purchased the property west of the bowling alley and will use that as an access since it is more than 150 feet from the intersection.

Ridderhoff: That would be a great place for a restaurant with the great view.

Louise Tidwell: We are going to make the parking lot available, except for night parking, on the 4th of July during the day since the school parking is closed.

Gonzales: Thank you for doing that.

Ridderhoff: Have you considered an underground parking garage?

Lieberman: Actually, I've done some investigation and the topography and safety concerns with earthquake faults make it questionable. To construct such a feature would cost in excess of \$1.5 million.

Meeting was adjourned at 5:43 p.m.

Sue Hanson

BLUAC Secretary

